

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claim 103 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation “A computer program product” is not described in the specification at the time the application was filed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 90-102 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art, page 2, of the instant application, hereinafter referred to as the APA, in view of Ejzak (US 6,871,070).

Regarding claim 90, the APA discloses E.164 representing the international phone numbering system. Particular E.164 messages and/or set of messages and/or sessions from an originating party/equipment is sent to a public network, i.e. a non-IMS or a PSTN , see page 1 (corresponding to initiating a message, message set or session setup in the switched telephone network); The E.164 message is then routed from the PSTN to a foreign network (a second network)

The APA, however, does not teach (1) routing the message, message set or session setup request from the switched telephone network to a media gateway control function of the second network, and (2) routing the message, message set or session setup request from the media gateway control function to a breakout gateway control function, (3) the breakout gateway control function deciding on the routing of the message, message set or session setup request.

Ejzak discloses communication system for providing roaming between an Internet protocol multimedia system and a circuit-switched domain. The PSTN 161-fig.1 connects to the MGCF 145-fig.1 via the T-SGW 146-fig.1 for routing signals from the PSTN to the MGCF (corresponding to (1)); The MGCF connects to the BGCF 144-fig.1 for routing signals from the MGCF to the BGCF (corresponding to (2)), wherein the BGCF 144 is responsible for selecting network to use for inter-working with PSTN 161 for a call from UE 11 to a PSTN address (corresponding to (3)) see col. 3, lines 23-28, and col. 5, lines 9-13, col.4, lines 25-28.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to employ the PSTN, MGCF, and BGCF as taught by Ejzak into the system of the APA. The suggestion/motivation for doing so would have been to provide a communication system using E.164 number for roaming between an Internet protocol multimedia system and a circuit switched network.

Regarding claim 91, this claim has similar limitations as claim 90. Therefore, it is rejected under the APA-Ejzak for the same reasons set forth in the rejection of claim 90.

Regarding claim 94, this claim has similar limitations as claim 90. Therefore, it is rejected under the APA-Ejzak for the same reasons set forth in the rejection of claim 90. In Ejzak the BGCF 144-fig.1 is the means for receiving a message...from a MGCF, and deciding on the routing the received message.

Regarding claim 95, in the APA the E.164 number is the identifier in the message that will be used for decision of routing signals to a next network.

Regarding claim 96, in Ejack decision for routing signals could be routing the signals from the first BGCF 144-fig.1 to a second BGCF 194-fig.1.

Regarding claim 97, in Ejzak the BGCF 144-fig.1 is served as a transit exchange. The network 161-fig.1 is a switched telephone network. The second network 141-fig.1 is an IMS network.

Regarding claim 99, this claim has similar limitations as claim 90. Therefore, it is rejected under the APA-Ejzak for the same reasons set forth in the rejection of claim 90. In Ejzak the BGCF 144-fig.1 receives a message...from a MGCF.

Regarding claims 100-102, these claims have similar limitations as claims 95-97.

Therefore, they are rejected under the APA-Ejzak for the same reasons set forth in the rejection of claims 95-97.

Regarding claim 92, this claim has similar limitations as claim 90. Therefore, it is rejected under the APA-Ejzak for the same reasons set forth in the rejection of claim 90. In Ejzak the MGCF 145-fig.1 includes a circuit (not shown) for receiving signals from the PSTN 161-fig.1, and another circuit for routing signals to the BGCF 144-fig.1.

Regarding claim 93, in Ejzak the network 161-fig.1 is a switched telephone network, and the second network 141-fig.1 is an IP Sub-multimedia network.

Regarding claim 98, this claim has similar limitations as claim 92. Therefore, it is rejected under the APA-Ejzak for the same reasons set forth in the rejection of claim 92.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Thursday from 7:30 am to 6:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2465

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

/DUC C HO/

Primary Examiner, Art Unit 2465

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